



Town of Seabrook Island

Office of the Mayor

Executive Order No. 2020-07

Whereas, on March 13, 2020 the Governor of South Carolina declared a State of Emergency to enable appropriate actions in preparing for and promptly responding to the threat posed by the 2019 Novel Coronavirus (“COVID-19”); and

WHEREAS, on March 17, 2020, the Governor of South Carolina issued Executive Order No. 2020-10, temporarily prohibiting Restaurants, as defined in accordance with that Executive Order, from providing certain food services for on-premises consumption; and

WHEREAS, on March 27, 2020, the Governor of South Carolina issued Executive Order No. 2020-14, requiring that persons entering the State of South Carolina from an area with substantial community spread of COVID-19, the illness attributed to infection by the coronavirus, and including the Tri-State Area (consisting of the States of New York, New Jersey, and Connecticut) and the City of New Orleans, Louisiana isolate or self-quarantine for the shorter of a period of fourteen (14) days from the individual’s entry into the State of South Carolina; and

WHEREAS, on March 28, 2020, the Governor of South Carolina issued Executive Order No. 2020-15, declaring a new, separate, and distinct State of Emergency based on a determination that COVID-19 posed an actual, ongoing, and evolving public health threat to the State of South Carolina; and

WHEREAS, on April 3, 2020, the Governor of South Carolina issued Executive Order No. 2020-18, requiring that certain “non-essential” businesses identified in Executive Order No. 2020-18, and including certain “non-essential” business Retail Stores, as specified in Executive Order 2020-18, be closed to non-employees and not open to access or use by the public; and

WHEREAS, on April 3, 2020, the Governor of South Carolina issued Executive Order No. 2020-19, prohibiting any and all individuals, entities, or establishments engaged in provision of short-term rentals, vacation rentals, or other lodging accommodations or operations in exchange for consideration (collectively “Lodging”) in the State of South Carolina, and including rental of any house, condominium, room or other dwelling unit for a period of less than ninety (90) days, from making or accepting new reservations or bookings from or for individuals residing in or travelling from any country, state, municipality, or other geographic area subject to or identified in a Centers for Disease Control and Prevention (“CDC”) travel advisory or other CDC notice as a location with extensive community transmission of COVID-19, including the Tri-State Area (consisting of the States of New York, New Jersey, and Connecticut); and

Whereas, on April 6, 2020 the Governor of South Carolina issued Executive Order 2020-21 (“Executive Order 2020-21”) requiring that, commencing on Tuesday, April 7, 2020 at 5:00 pm any and all residents and visitors of the State of South Carolina shall limit social interaction, practice

“social distancing” in accordance with CDC guidance, and take every possible precaution to avoid potential exposure to, and to slow the spread of, COVID-19, and shall limit their movements outside of their home, place of residence, or current place of abode, including single-family and multi-family dwelling units, modular and mobile homes, hotels, motels, shared rental units, and any other similar dwelling facilities and structures, without regard to the duration or length of occupancy (collectively, “Residence”), except as allowed by that Order, for purposes of engaging in Essential Business, Essential Activities, or Critical Infrastructure Operations, each as defined by Executive Order 2020-21, and subject to such exceptions, limitations and clarifications as specified by Executive Order 2020-21 and

WHEREAS, on April 12, 2020, the Governor of South Carolina issued Executive Order No. 2020-23, declaring a new State of Emergency to exist within the State of South Carolina and confirming the continued effectiveness of certain provisions of his previously issued Executive Orders including his Executive Orders 2020-10 , 2020-18 and 2020-21; and

WHEREAS, on April 20, 2020, the Governor of South Carolina issued Executive Order No. 2020-28, allowing certain “non-essential” business Retail Stores, as identified in that Executive Order to re-open to non-employees and for access and use by the public subject to certain emergency rules and restrictions set forth in that Executive Order; and

WHEREAS, on April 27, 2020, the Governor of South Carolina issued Executive Order No. 2020-29 (“Executive Order 2020-29”), declaring a State of Emergency in response to the ongoing COVID-19 pandemic and different, additional and intensifying threats attributed thereto and confirming the continued effectiveness of certain provisions of his previously issued Executive Orders including his Executive Orders 2020-10, 2020-18, 2020-21 and 2020-28; and

WHEREAS, on May 1, 2020, the Office of the Governor of South Carolina announced that, effective on that date, the Governor’s Executive Orders 2020-14 and 2020-19 had been lifted in view of CDC guidance identifying areas within the country where substantial community spread of COVID-19 had lapsed and had not been renewed and effective on May 4, 2020 the requirements of the Governor’s Executive Order 2020-21 to limit social interaction, practice “social distancing” in accordance with CDC guidance, and take of every possible precaution to avoid potential exposure to, and to slow the spread of, COVID-19, and to limit movements outside of home, place of residence, or current place of abode except for purposes of engaging in Essential Business, Essential Activities, or Critical Infrastructure Operations ,would thereafter be treated as voluntary; and

Whereas, on March 17, 2020 the undersigned declared a State of Emergency to exist within the Town of Seabrook Island, South Carolina (“Town”) to enable actions required to alleviate effects of the COVID-19 public health emergency; and

Whereas, under the State of Emergency declared by the Mayor, the Town is empowered to take any lawful emergency response or action deemed necessary to protect the public health, safety and welfare of the Town of Seabrook Island; and

Whereas, on April 1, 2020 the Town Council of the Town of Seabrook Island enacted Emergency Ordinance 2020-01 ("Emergency Ordinance 2020-01") effecting, among other things, closure of certain "non-essential" businesses, venues, facilities, services, and activities to non-employees and prohibited access or use thereof by the public; and

Whereas, on April 22, 2020 the Town Council of the Town of Seabrook Island enacted an Amended Emergency Ordinance 2020-01 ("Amended Emergency Ordinance 2020-01") effecting, among other things, re-opening of certain "non-essential" business Retail Stores to non-employees and for access or use thereof by the public all subject to certain emergency rules and restrictions; and

Whereas, pursuant to Section 2-27 of the Town Code for the Town of Seabrook Island, the undersigned is vested with the power to take such action as appears necessary to protect life and property and maintain peace and good order; and

Whereas, on April 7, 2020 the undersigned issued Executive Order 2020-04 in furtherance of Executive Order 2020-21 issued by the Governor of South Carolina and providing for enforcement of Executive Order 2020-04 within the Town of Seabrook Island by Town Code Enforcement Officers and for cooperation by Town Code Enforcement Officers with enforcement of Executive Order 2020-21 by state law enforcement officers; and

Whereas, on April 14, 2020 the undersigned issued Executive Order 2020-05 in furtherance of Executive Order 2020-23 issued by the Governor of South Carolina and confirming the continued effect of the undersigned's Executive Order 2020-04; and

Whereas, on April 28, 2020 the undersigned issued Executive Order 2020-06 in furtherance of Executive Order 2020-29 issued by the Governor of South Carolina;

Now, Therefore, by virtue of the authority vested in me as Mayor of the Town of Seabrook Island and in furtherance of Executive Order 2020-29 of the Governor of South Carolina, I hereby order and direct as follows:

Section 1. I hereby direct that, in furtherance of the determination of the Governor to lift requirements of his Executive Order 2020-21 and making the provisions thereof voluntary effective from May 4, 2020, that the corresponding requirements of my Executive Orders 2020-04 and 2020-06 in respect of limited movements outside of home, place of residence, or current place of abode, including single-family and multi-family dwelling units, modular and mobile homes, hotels, motels, shared rental units, and any other similar dwelling facilities and structures, without regard to the duration or length of occupancy (collectively, "Residence") within the Town, except as allowed for purposes of engaging in Essential Business, Essential Activities, or Critical Infrastructure Operations as those terms are defined in those Executive Orders, shall be voluntary from May 4, 2020.

Section 2. I hereby direct that, in furtherance of the determination of the Governor to lift requirements of his Executive Order 2020-14 requiring that persons entering the State of South Carolina from an area with substantial community spread of COVID-19, the illness attributed to infection by the coronavirus, and including the Tri-State Area (consisting of the States of New York,

New Jersey, and Connecticut) and the City of New Orleans, Louisiana isolate or self-quarantine for the shorter of a period of fourteen (14) days from the individual's entry into the State of South Carolina, the corresponding provisions of my Executive Order 2020-02 requiring isolation or self quarantine of individuals arriving in the Town from areas with substantial community spread of COVID-19 are hereby lifted with effect from the effective date of this Order.

Section 3. I hereby direct that, in furtherance of the determination of the Governor to lift requirements of his Executive Order 2020-19, prohibiting any and all individuals, entities, or establishments engaged in provision of short-term rentals, vacation rentals, or other lodging accommodations or operations in exchange for consideration (collectively "Lodging") in the State of South Carolina, and including rental of any house, condominium, room or other dwelling unit for a period of less than ninety (90) days, from making or accepting new reservations or bookings from or for individuals residing in or travelling from any country, state, municipality, or other geographic area subject to or identified in a Centers for Disease Control and Prevention ("CDC") travel advisory or other CDC notice as a location with extensive community transmission of COVID-19, including the Tri-State Area (consisting of the States of New York, New Jersey, and Connecticut), the corresponding provisions of my Executive Order 2020-03 prohibiting making, or accepting new reservations or bookings for rentals for Lodging within the Town for periods of less than ninety (90) days from individuals residing in or traveling from any country, state, municipality, or other geographic area subject to extensive community transmission of COVID-19, are hereby lifted with effect from the effective date of this Order.

Section 4. Notwithstanding any provision of my Executive Orders 2020-02, 2020-03, 2020-04, or 2020-05 to the contrary, or of any provision of Emergency Ordinance 2020-01 enacted by the Town Council of the Town of Seabrook Island to the contrary, or of Amended Emergency Ordinance 2020-01 enacted by the Town Council of the Town of Seabrook Island to the contrary, the provisions of Section 1., Section 2. and Section 3. of this Order shall control respectively in respect of: cessation of required limited movements outside of home, place of residence, or current place of abode, of any and all residents and visitors of the Town in accordance with Section 1.; cessation of required isolation or self quarantine of individuals arriving in the Town from areas with substantial community spread of COVID-19 in accordance with Section 2.; and cessation of prohibited making, or accepting of new reservations or bookings for rentals of Lodging within the Town for periods of less than ninety (90) days from individuals residing in or traveling from any country, state, municipality, or other geographic area subject to extensive community transmission of COVID-19 in accordance with Section 3., provided nothing in this Order shall modify requirements of Emergency Ordinance 2020-01 or Amended Emergency Ordinance 2020-01 in respect of rental of Short Term Rental Units within the Town for periods of twenty-eight (28) days or less.

Section 5. I hereby proclaim that, notwithstanding continued operation of Essential Businesses, Essential Activities and Critical Infrastructure Operations, all as defined by the Governor's Executive Order 2020-21, and in accordance with duplicate definitions given in my Executive Order 2020-04, to the maximum extent possible, to further promote "social distancing," facilitate self-isolation, and otherwise prevent potential exposure to COVID-19, businesses and organizations are also encouraged to utilize telecommuting or work-from-home options for employees and to provide alternate means of purchasing and delivering products and services, to include online or telephone

orders and curbside or off-site deliveries, and individuals are encouraged to utilize such options to support businesses in the Town of Seabrook Island during the ongoing public health emergency.

Section 6. Nothing in this Order shall operate to repeal, by implication or otherwise, the terms and provisions of the Governor's Executive Order No. 2020-10, as extended by the Governor's Executive Orders Nos. 2020-15, 2020-23 and 2020-29 directing that all restaurants or other food-service establishments that prepare, produce, or otherwise offer or sell food or beverages of any kind for on-premises consumption within the State of South Carolina and including the Town of Seabrook Island, shall suspend services for, and may not permit, on-premises or dine-in consumption. In furtherance of the determination by the Governor to foster opening of restaurants for outdoor seating, the following guidelines issued by the Governor are provided for restaurants operating within the Town that choose to open for outdoor seating:

Section 6.1. Existing approved outdoor seating areas:

- Tables are to be spaced a minimum of 8 feet from each other (measured from all edges of the table);
- Limit table groups to 8 individuals;
- Eliminate gatherings in the building when entering or exiting outdoor seating area;
- Maintain strict social/physical distancing guidelines;
- Tables, chairs, and seats should be sanitized after every customer

Section 6.2. If open areas and/or temporary tents are utilized by existing, permitted restaurants, all sides of the tent must be open and the following conditions are required:

- Tables are to be spaced a minimum of 8 feet from each other (measured from all edges of the table);
- Table groups are to be limited to 8 individuals;
- State approved fire extinguisher within 75 feet of tent area;
- Minimum of 7-foot-6 inch head room (ceiling height)

Tables, chairs, and seats should be cleaned/sanitized after every customer.

Any use of open areas and/or erection of temporary tents within the Town as contemplated by this Section 6.2 would constitute a use requiring a temporary use permit. Under Emergency Ordinance 2020-01 enacted by the Town Council of the Town of Seabrook Island and Amended Emergency Ordinance 2020-01 enacted by the Town Council of the Town of Seabrook Island, the Town has suspended issuance of temporary use permits for events taking place within the Town through a period ending on May 31, 2020. Further, service of alcoholic beverages in any open areas and/or temporary tents as contemplated by Section 6.2 is subject to limitations of all applicable State and local ordinances.

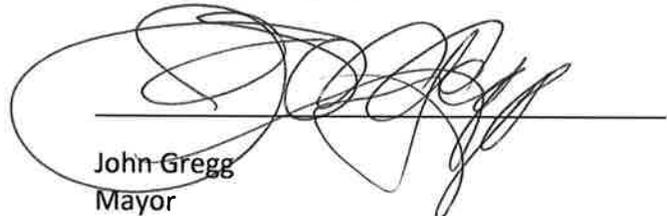
Section 7. I hereby direct that violations of this Order shall be punishable in accordance with the provisions of Sections 1-7 and 2-27 of the Town Code for the Town of Seabrook Island.

Section 8. I hereby direct that each Code Enforcement Officer of the Town, whether engaged solely as a Code Enforcement Officer or otherwise engaged and duly commissioned by the Town as a Code Enforcement Officer, shall enforce this Order and shall, to the extent permissible under applicable law, cooperate with law enforcement officers of the State of South Carolina, or of any political subdivision thereof, in their enforcement of Executive Orders Nos. 2020-21 and 2020-28.

Section 9. This Order is not intended to create, and does not create, any individual right, privilege, or benefit, whether substantive or procedural, enforceable at law or in equity by any party against the Town of Seabrook Island, South Carolina, its agencies, departments or other entities, or any officers, employees, or agents thereof, or any other person.

This Order is effective immediately and, with the exception of Section 9, shall remain in effect for the duration of the State of Emergency declared by the Governor on April 27, 2020 to address spread of COVID-19 unless otherwise modified, amended, or rescinded by subsequent Order. Further proclamations, orders, and directives deemed necessary to ensure the fullest possible protection of life and property during this State of Emergency shall be issued by the undersigned as deemed appropriate.

GIVEN UNDER MY HAND AND THE SEAL OF
THE TOWN OF SEABROOK ISLAND, SOUTH
CAROLINA, THIS 4th DAY OF MAY, 2020.



John Gregg
Mayor

Attest:



Faye Allbritton
Town Clerk